

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ARLO LAFAYETTE CHRISTY, et al.,

Plaintiffs,

v.

ZACHARY GERHOLDT, et al.,

Defendants.

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No.4:23-CV-1344RLW

**MEMORANDUM AND ORDER**

This matter is before the Court on the unopposed motion of Defendant SSM Health Care St. Louis d/b/a SSM Health St. Joseph Hospital - St. Charles (incorrectly named as Saint Joseph Medical Center) to dismiss Plaintiffs' Complaint for failure to state a claim pursuant to Fed. R. Civ. P. 8 and 12(b)(6). (Doc. 9) Plaintiffs do not oppose the motion and the time do so has passed. The Court grants the motion and dismisses the complaint for the reasons set forth below.

Plaintiffs filed their fee-paid, pro se suit against Defendant SSM Health Care St. Louis d/b/a SSM Health St. Joseph Hospital - St. Charles ("SSM Health Care St. Louis") and others, alleging an unauthorized or illegal search and seizure. The form complaint merely states that "each Defendant is primarily accused of not following proscribed legal standards." (Doc. 1). SSM Health Care St. Louis, the sole remaining defendant, argues the Complaint fails to state any actions or omissions taken by SSM Health Care St. Louis. The Court agrees. I

To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007)). A claim is facially plausible where "the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Blomker v. Jewell*, 831 F.3d

1051, 1055 (8th Cir. 2016) (quoting *Iqbal*, 556 U.S. at 678). Courts liberally construe a pro se complaint, which “however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers.” *Erickson v. Pardus*, 551 U.S. 89, 94 (2007).


Here, the Complaint fails to state what these “proscribed legal standards” are or provide facts showing how SSM Health Care St. Louis failed to meet these standards. (Doc. 1). The Court therefore concludes the Complaint fails to comply with preliminary pleading requirements and fails to state a claim pursuant to Fed. R. Civ. P. 8(a) and 12(b)(6). *See Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007), quoting Fed. R. Civ. P. 8(a)(2) (to satisfy the notice-pleading standard of Rule 8 of the Federal Rules of Civil Procedure, a complaint must provide a “short and plain statement of the claim showing that the pleader is entitled to relief,” which is sufficient to provide the defendant with “fair notice” of the claim and its basis.)

For the foregoing reasons, the Court grants the motion.

Accordingly,

**IT IS HEREBY ORDERED** that Defendant SSM Health Care St. Louis’s motion to dismiss the complaint is **GRANTED**. (Doc. 9).

An Order of Dismissal will accompany this Memorandum and Order.

  
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**RONNIE L. WHITE**  
**UNITED STATES DISTRICT JUDGE**

Dated this 24<sup>th</sup> day of May, 2024.